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discussed the subjects of administrative organs, the distinction between *loi* and *règlement*, administrative jurisdiction and the limits of administrative law.

The chapter on the police has been enlarged by an extended discussion of the *police des cultes* made necessary by the law of December 9, 1905, by which the separation of Church and State, was effected, by a discussion of the *police du repos hebdomadaire* made necessary by the Sunday observance law of July 13, 1906, by a section on the "police of navigable waters," and one on the "administrative aspects of the workingman's insurance law of April 10, 1910." The chapter on the recruitment of functionaries has been entirely rewritten, while that on the public domain has likewise been extensively revised. Finally, the treatment of the *contentieux administratif* has been revised to conform with the changes made in the organization of the council of state in 1910.

For more than ten years, M. Hauriou's book has been a standard treatise on administrative law for French students and its popularity is attested by the fact that it has rapidly gone through numerous editions. Now that he has written a companion volume on the *Droit public*, the size of the work here reviewed might be reduced with advantage and the volume otherwise improved by transferring to the former work the discussion of matters of constitutional law, such, for example, as that which deals with the legislature (pp. 242–252) and similar subjects.

J. W. GARNER.

Short Ballot Principles. By RICHARD S. CHILDS. (Boston and New York: Houghton, Mifflin Company, 1911. Pp. viii, 171.)

"So those who would increase the margin of safety in our democracy must estimate, with no desire except to arrive at truth, both the degree to which the political strength of the individual citizen can, in any given time, be actually increased by moral and educational changes, *and the possibility of preserving or extending or inventing such elements in the structure of democracy as may prevent the demand upon him being too great for his strength.*"

The last phrase of this quotation from Graham Wallas' "Human Nature in Politics" expresses fairly well the point of view of a note-

worthy little book in which an American author has now attempted to deal with some of the problems of democratic government in this country. Mr. Wallas sought to substitute for the old-fashioned intellectualist conception of human nature which accompanied the democratic theories of the eighteenth century a new political psychology based on unflinching examination of real political conditions. Similarly, Mr. Childs in his "Short Ballot Principles," though dealing with a more concrete and limited field, seeks to see human nature as it actually manifests itself in everyday political action.

Starting from this as a foundation, he devotes the bulk of his book to a discussion of the means by which our governmental machinery may best be adapted to the facts of human nature as thus discovered, rather than to a set of catch phrases too generally supposed by Americans to represent the wisdom of the fathers and the Alpha and Omega of political truth. This method of approach is still uncommon enough in books dealing with American politics to be distinctly refreshing. The discussion loses none of this refreshing quality from being written in Mr. Childs' very individual style—as may be gathered from the following quotation, taken from the second chapter: "*No plan of government is a democracy unless on actual trial it proves to be one.* The fact that those who planned it *intended* it to be a democracy, and could argue that it *would* be one if the people would only do thus and so, proves nothing—if it doesn't 'democ,' it isn't democracy!"

"And I will ask you to agree as a result of this chapter of fancies, that democracy has limits—many limits,—and that overstepping some of these limits may result in oligarchy.

"From this point of view we will move nearer to our subject, and see whether our American form of government has not at some points gone beyond the limits of practicability."

So much for his major premise. In the next few chapters he seeks to define some of the most important of these limitations and, in so doing, outlines the now familiar doctrine of the short ballot—that elective offices must be few, important and interesting in character, or, as he summarizes it, that "each elective office must be *visible.*" From this point on, however,—except for the long chapter on "Fits and Misfits" in which he illustrates his theory of the limitations of democratic government by applying it to various concrete types of city, county and state government—he branches out from the short ballot principle and attempts to establish various corollaries,

on the adoption of which he believes this principle to be more or less dependent for the accomplishemt of its best results.

The first of these corollaries is the doctrine of "wieldy districts." Even where the office is "visible," the mere size of the electoral area and the number of voters to be reached and influenced during the campaign may be so great that elaborate party organization—which it is one of the objects of the short ballot movement to get away from—may still remain a necessity. Where the district is wieldy, however, a campaign organization adequate to its task may be quickly and cheaply formed, and the handicap elsewhere possessed by the standing organization virtually discounted.

Still another corollary relates to the internal structure of the government. In a "weak, disjointed, ramshackle government" in which no one authority is given any real power, in which one office is balanced off against another in the hope that the worst evils of misgovernment may be automatically prevented, even the best officer chosen on a short ballot and from a wieldy district may be helpless to accomplish positive results. We must get away, Mr. Childs believes, from our theories of "checks and balances" and "separation of powers," and make our governments simple and unified in structure, strong and unhampered in action.

Another interesting corollary is the doctrine of "leadership parties" to take the place of our present meaningless party organizations—parties which should be formed to carry into effect a certain policy and which, by means of centralized control, could exclude from their ranks all elements not genuinely in sympathy with their main purposes. Such parties, originating with little groups of active leaders, would seek as widespread public support as possible for their propaganda, maintain the purity of their first enthusiasms and die a natural death when once their objects had been achieved. Our present party organizations, lasting on long after their original platforms have been carried out, accumulating from generation to generation a vast capital of unthinking loyalty or "good-will" and endowed by the state with valuable and exclusive corporate privileges, are supposed to be, and to some extent are, controlled from the bottom up. This fact, together with the amount and character of party work and the paucity and uncertainty of its remuneration (at least for an honest man), leaves the organization defenceless against capture by its least desirable elements. "Leadership parties," as above described, are Mr. Childs' alternative. He fails, however, to make it clear

whether he recommends this change as desirable under present conditions, or as something to be worked toward in the future—after the adoption of the short ballot and the consequent relegation of party machines to a less prominent rôle shall have sufficiently paved the way. To the writer it seems as if the latter were the only feasible plan—as if we should have to follow something like the course recommended to Alice by the Red Queen, and progress toward more flexible parties, centrally controlled, by first continuing a bit further our trend in the opposite direction—*i. e.*, toward governmental regulation of parties and more effectual control of the leaders by the rank and file. The control of a mere propagandist organization may safely be left to its original leaders, but the control of what, by habit as well as by legal assistance, has become an essential organ of that very governmental machinery which the propagandist seeks to capture is something which concerns the whole community; which cannot yet be safely left to a little central group, but must be as broadly exercised as possible. This is the meaning of the direct primary movement. Through the direct primary, even where the ballot remains long, "leadership groups" are at least made possible within the party, and old party lines, strange as it may seem, tend to be broken down. Were the short ballot principle adopted in its entirety, parties of the sort Mr. Childs has in mind would no doubt become approximately feasible. Abolition of state-given privileges would also, of course, be a direct step in the same direction. Even then, however, old American habits of party organization and party loyalty could hardly be expected to disappear at once—and until they did disappear, and control of party good-will became a less potent source of political power, governmental regulation of parties and their internal organization on a democratic basis would, as the writer sees it, remain relatively necessary.

Mr. Childs' final suggestion is for a simplification of our nominating machinery, and the adoption of nomination by petition—safeguarded by some such device as the "forfeit" system now used in some of the Canadian cities, and supplemented by a non-partisan ballot. These methods are already familiar in municipal elections and, while their detailed application is still a problem for experiment, they have come to be generally accepted by students as desirable. Whether we are yet ready for them in general state elections is another question—and a question, it should be added, in regard to which Mr. Childs does not make his own attitude clear.

The concluding chapter of the book contains a delightful valedictory to the "politician" (whose reason for existence the author is seeking to remove), the gist of which, as well as its tone, may be indicated by its closing sentences: "As I lay you in your grave there passes from our American life a picturesque and original character, genial, useful, unthanked! Of course, this is only a theoretical obituary! And, until we get a democracy that 'democs,' please, Mr. Politician, please stay above the sod, maintaining your wobbly oligarchy to prevent governmental chaos and collapse!"

In face of the author's engaging apology, at the end of the book, for his own shortcomings, and the modest rôle which he is careful to assign himself, one feels almost churlish in calling attention to certain comparative defects—an occasional superficiality, a little tendency to slapdash judgments on problems with which notable thinkers have long wrestled, an over-emphasis at times, on a particular theory such as that of "wieldy districts."

He is also rather inclined to overlook the general importance of those moral and educational changes "by which," as Mr. Wallas puts it in the sentence above quoted, "the political strength of the individual citizen can, in any given time, be actually increased"—though he makes it clear in his concluding chapter that the short ballot is not intended as an encouragement to civic laziness, but rather as a means of liberating and utilizing the public interest already beginning to be felt in *real* social and political problems. If mention must be made of any such minor defects, certainly to note them in passing is enough; for in view of the rather unique merits of the book,—its freshness and vigor in attacking its subject, its keen yet tolerant appreciation of the absurdities of our American political drama, its clear grasp of the fundamental causes of our misgovernment, its informality of treatment and breeziness of style—these defects appear so relatively insignificant that one is inclined to overlook them altogether. Mr. Childs himself realizes that there is need, in the field which he has chosen, for writings of a different character—studies in which the bold outlines which he sketches may be corrected and filled in by painstaking investigation, his general arguments supported by well-massed facts and his suggestions as to methods of improvement tested and worked out in detail. It is fortunate, however, that he has not attempted to burden his own book with anything of the sort. There is little need of converting students to any of the fundamental propositions which he

advances, or of making them realize the practical importance of dealing with the collateral questions which he raises. They have long understood and advocated the short ballot and agonized over the problems of party organization and electoral machinery. It is the average American citizen who is too little alive to the importance of these problems, or who, if he thinks about them, approaches them from the standpoint, and with the aid, of a shallow political philosophy largely compounded of traditional prejudices. Nothing is more important at this time than to teach him to apply in his political thinking some of the practical sagacity, the shrewd knowledge of human nature, the habit of estimating the value of social machinery by its results, the ingenuity in adapting means to ends, which have served him so well in other branches of collective enterprise. It would be hard to imagine a book better calculated to set large numbers of Americans thinking along these lines than that which Mr. Childs has written. At the same time it is sufficiently vigorous and suggestive to be of real interest to the trained student of political science, and, as is unfortunately not always the case with political treatises, it is eminently readable.

ARTHUR LUDINGTON.

The Constitutions of Ohio. By ISAAC FRANKLIN PATTERSON, A.M., LL.B. (Cleveland: The Arthur H. Clark Company, 1912. Pp. 358.)

This volume of reprints is a landmark in the unorganized field of American state constitutional documents, and its editor deserves special praise for his painstaking pioneer work. In addition to furnishing complete, verified, original texts of the several constitutions of Ohio, amendments and proposed amendments, helpful detailed comparisons, historical data, records of votes cast on the numerous measures, and contemporary comment, Mr. Patterson has also supplied a valuable historical introduction. The series of documents makes the volume of peculiar and timely service to the state in the work of drafting a new constitution. The historical introduction, with its terse, observant and illuminating description of Ohio's constitutional history, is sufficient alone to claim for the work the attention of students of politics and constitutional development.

In brief, the introduction discusses the framing of the defective